

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 8:04CR245
)	
Plaintiff,)	
)	
v.)	ORDER
)	
MARIO D. ALFORD,)	
)	
Defendant.)	

Pursuant to the Opinion of the Eighth Circuit Court of Appeals (Filing No. 37) vacating and remanding this case to the district court for resentencing pursuant to *United States v. Booker*, 125 S. Ct. 738 (2005),

IT IS ORDERED:

1. That resentencing of the defendant is scheduled before the undersigned on **May 12, 2005, at 3:30 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The defendant must be present for this hearing.

2. The defendant waives his presence at the hearing and instead will participate telephonically.

DATED this 28th day of April, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge